

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BIOVAIL LABORATORIES )  
INTERNATIONAL SRL, a corporation of )  
Barbados, )  
                        )  
                        Plaintiff, )  
                        )  
                        )  
v.                      ) C.A. No. 05-586 (KAJ)  
                        )  
ANDRX PHARMACEUTICALS, LLC and )  
ANDRX CORPORATION, )  
                        )  
                        Defendants. )

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BIOVAIL LABORATORIES )  
INTERNATIONAL SRL, a corporation of )  
Barbados, )  
                        )  
                        Plaintiff, )  
                        )  
                        )  
v.                      ) C.A. No. 05-730 (KAJ)  
                        )  
ANDRX PHARMACEUTICALS, LLC and )  
ANDRX CORPORATION, )  
                        )  
                        Defendants. )

**SECOND REVISED SCHEDULING ORDER**

The Court having discussed the case schedule with the parties at the June 13, 2006 Status Conference,

IT IS HEREBY ORDERED this 23<sup>rd</sup> day of June, 2006, that the Court's March 1, 2006 Revised Scheduling Order (D. I. 59) is hereby revised as follows:

3. Discovery.

d. Disclosure of Expert Testimony. The parties shall serve their initial expert reports on or before July 7, 2006, and rebuttal expert reports on or before

September 7, 2006. To the extent any objection to expert testimony is made pursuant to the principles announced in *Daubert v. Merrell Dow Pharm, Inc.*, 509 U.S. 579 (1993), it shall be made by motion no later than the deadline for dispositive motions set forth herein, unless otherwise ordered by the Court.

9. Tutorial Describing the Technology and Matters in Issue. The parties shall provide the Court by September 14, 2006 at 2:00 p.m. a tutorial on the technology at issue. In that regard, each party may submit a videotape of not more than thirty minutes. The parties may choose to present the tutorial in person. In either event, the tutorial should focus on the technology in issue and should not be used to argue the parties' claim construction contentions. If the parties choose to file videotapes, they should be filed under seal as part of the Court's file, subject to any protective order in effect. Each party may comment, in writing (in no more than 5 pages) on the opposing party's videotape tutorial. Any such comment shall be filed within ten (10) days of submission.

All other provisions of the Court's March 1, 2006 Revised Scheduling Order (D.I. 59) remain in effect.



Jordan, J.

A handwritten signature in black ink, appearing to read "Kent Jordan". Below the signature, the name "Jordan, J." is printed in a smaller, sans-serif font.

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